

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44675 of 2024
Arising Out of PS. Case No.-1886 Year-2019 Thana- BHAGALPUR
COMPLAINT CASE District- Bhagalpur

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SANJAY KUMAR SINGH S/O LATE MATUKDHARI SINGH R/O
MOH- BINDWARA, P.S-KASIM BAZAR, DISTT.- MUNGER.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SWETA SINGH W/O SANJAY KUMAR SINGH, D/O LATE UMA
SHANKAR SINGH R/O ANADIPUR, P.S- KAHALGOAN, DIST.-
BHAGALPUR.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Jyoti Ranjan Jha, Advocate
For the State : Mr. Uday Chand Prasad, Advocate
For the O.P. No.2 : Mr. Anand Prakash, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

8 14-07-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the complainant/opposite party no2.

2. The petitioner apprehends his arrest for the offences
punishable under Sections 323, 307, 328, 379, 313, 498A, 467, 468
and 384 of the Indian Penal Code and Section 3 and 4 of the Dowry
Prohibition Act.

3. Petitioner is the husband of opposite party no.2. The
allegation is of demand of dowry and torture.

4. The matter had earlier been sent to the Mediation Center
to resolve the dispute between the parties but the said process has
failed.

5. It is submitted by learned counsel for the petitioner that



the allegations made in the complaint are totally false. As a matter of fact, the petitioner is always ready to keep his wife (opposite party no.2) with him and even today he is agreeable to keep her along with him. It is further submitted that the son, born out of the wedlock, is staying along with the petitioner and he is suffering from serious eye ailment for which enough money has been spent in Shankar Netralaya and other places. It is further submitted that the marriage dates back to the year 2002 and after a lapse of 20 years, the present case has been filed.

6. Learned counsel for the opposite party no.2, however, controverts the submissions made on behalf of the petitioner and stands by the allegations made in the complaint. It is further submitted that one daughter, born out of the said wedlock, is staying with her mother and expenses are totally borne by the mother herself. It is further submitted that a maintenance case is pending before the learned Court below and, due to non-appearance of the petitioner, the same is now an ex parte proceeding.

7. At this stage, the petitioner offers to give Rs.2000/- (Rupees Two Thousand) per month to opposite party no.2 in the first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

8. It is now within the knowledge of the petitioner that a maintenance case is pending before the learned Family Court, Bhagalpur and, hence, it is expected that the petitioner would appear



in the said proceedings and cooperate with the same.

9. In such view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No.1886 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

10. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party no.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of bail.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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